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MIDLAND CREDIT MANAGEMENT, INC.  
7

8 **UNITED STATES DISTRICT COURT**  
9 **CENTRAL DISTRICT OF CALIFORNIA**  
10 **EASTERN DIVISION**

11 LORRAINE HOLLAND, an individual,

12 Plaintiff,

13 v.

14 MIDLAND CREDIT  
MANAGEMENT, INC.; and DOES 1-  
15 10, inclusive,

16 Defendants.

Case No.

**NOTICE OF REMOVAL OF  
ACTION UNDER 28 U.S.C. § 1441(a)**

State Court Complaint filed 04/02/15

17  
18 TO THE CLERK OF THE COURT:

19 PLEASE TAKE NOTICE that pursuant to 28 U.S.C. sections 1441(a) and  
20 1331, Defendant Midland Credit Management, Inc. ("Midland") hereby removes  
21 this action from the Superior Court of the State of California for the County of  
22 Riverside, Case No. RIC 1504252 (the "State Case") to the United States District  
23 Court for the Central District of California, Eastern Division. The grounds for this  
24 removal are:

25 **FACTUAL SUMMARY**

26 1. On April 02, 2015, plaintiff Lorraine Holland commenced the State  
27 Case alleging violations of the federal Fair Debt Collection Practices Act (15 U.S.C.  
28 § 1692 *et seq.*) and the Rosenthal Fair Debt Collection Practices Act (Cal. Civ. Code

1 § 1788 *et seq.*).

2 2. Midland was served with the summons and complaint on May 29,  
3 2015.

4 3. This notice is therefore timely pursuant to 28 U.S.C. § 1446(b) because  
5 it is being filed within thirty days after service of the complaint.

6 **JURISDICTION**

7 4. Removal is proper pursuant to 28 U.S.C. section 1441(a), which  
8 entitles a defendant to remove “any civil action brought in a State court of which the  
9 district courts of the United States have original jurisdiction,” and 28 U.S.C. section  
10 1331, which gives district courts “original jurisdiction of all civil actions arising  
11 under the Constitution, laws, or treaties of the United States.” The district court has  
12 supplemental jurisdiction over the alleged state law claim because it is so related to  
13 the claim over which the district court has original jurisdiction that it “form[s] part  
14 of the same case or controversy.” 28 U.S.C. § 1367(a).

15 5. Pursuant to 28 U.S.C. section 1446(a), Midland attaches as **Exhibit 1**  
16 and **Exhibit 2** copies of all documents filed in the State Court action.

17  
18 DATED: June 29, 2015

SOLOMON WARD SEIDENWURM &  
SMITH, LLP

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20  
21 By: /s/Peter J. Caltagirone

22 THOMAS F. LANDERS

23 PETER J. CALTAGIRONE

24 Attorneys for Defendant

25 MIDLAND CREDIT MANAGEMENT,  
26 INC.  
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